

1 ANDRÉ BIROTTE JR.  
United States Attorney  
2 CHRISTINE C. EWELL  
Assistant United States Attorney  
3 Chief, Criminal Division  
STEVEN R. WELK  
4 Assistant United States Attorney  
Chief, Asset Forfeiture Section  
5 PIO S. KIM  
Assistant United States Attorney  
6 California Bar No. 156679  
U.S. Courthouse, 14<sup>th</sup> Floor  
7 312 North Spring Street  
Los Angeles, CA 90012  
8 Telephone: (213)894-2589  
Facsimile: (213)894-7177  
9 E-mail: Pio.Kim@usdoj.gov

JS-6

10 Attorneys for Plaintiff  
United States of America

11 UNITED STATES DISTRICT COURT  
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
13 WESTERN DIVISION  
14

15 UNITED STATES OF AMERICA,	)	No. CV 10-02285 PA (PLAx)
	)	
16 Plaintiff,	)	
	)	<b>CONSENT JUDGMENT</b>
17 v.	)	
	)	
18 \$546,596.00 IN U.S. CURRENCY,	)	
	)	
19 Defendant.	)	
	)	

20  
21 In this action, plaintiff United States of America (the  
22 "government") alleges that the defendant \$546,596.00 in U.S.  
23 Currency (the "defendant currency") is subject to forfeiture  
24 (1) pursuant to 21 U.S.C. § 881(a)(6) on the grounds that it was  
25 furnished or intended to be furnished in one or more exchanges  
26 for a controlled substance or listed chemical in violation of 21  
27 U.S.C. § 841 *et seq.*, and/or constitutes proceeds traceable to  
28 such an exchange and (2) pursuant to 18 U.S.C. § 981(a)(1)(A) on

1 the ground that it constitutes property involved in one or more  
2 transactions or attempted transactions in violation of 18 U.S.C.  
3 §§ 1956 and 1957. Potential claimants Virgilio Gomez Munoz,  
4 Claudia Munoz and Pavi, Inc. (collectively, the "claimants")  
5 claim an interest in the defendant currency.

6 The parties have agreed to settle this forfeiture action and  
7 to avoid further litigation by entering into this consent  
8 judgment.

9 The Court, having been duly advised of and having considered  
10 the matter, and based upon the mutual consent of the parties,  
11 HEREBY ORDERS, ADJUDGES, AND DECREES:

12 1. This Court has jurisdiction over this action pursuant  
13 to 28 U.S.C. §§ 1345 and 1355.

14 2. The Complaint states claims for relief pursuant to 21  
15 U.S.C. §§ 881(a)(6) and 18 U.S.C. § 981(a)(1)(A).

16 3. Notice of this action has been given as required by  
17 law. No appearance has been made in this action by any person,  
18 and the time to file claims and answers has expired.

19 4. \$300,000.00 of the defendant \$546,596.00 in U.S.  
20 Currency and any interest accrued thereon shall be forfeited to  
21 the United States, which shall dispose of the same accordingly to  
22 law. The Court deems that all potential claimants other than the  
23 claimants admit the allegations of the Complaint to be true, and  
24 hereby enters default against all such potential claimants.

25 5. The remaining \$246,596.00 and any interest accrued  
26 thereon shall be returned to the claimants within 6 weeks of the  
27 entry of this Consent Judgment.

28 6. The claimants hereby release the United States of

1 America, the State of California, all counties, municipalities  
2 and cities within the State of California, and their agencies,  
3 departments, offices, agents, employees and officers, including,  
4 but not limited to, the United States Attorney's Office, the Drug  
5 Enforcement Administration, and their employees and agents, from  
6 any and all, known or unknown, claims, causes of action, rights,  
7 and liabilities, including, without limitation, any claim for  
8 attorney's fees, costs, or interest which may be now or later  
9 asserted by or on behalf of the claimants, arising out of or  
10 related to this action or to the seizure or possession of the  
11 defendant currency. The claimants represent and agree that they  
12 have not assigned and are the rightful owners of such claims,  
13 causes of action and rights. The claimants further represent  
14 that to their knowledge, they are the only persons with any  
15 interest in the defendant currency. Potential claimants Virgilio  
16 Gomez Munoz and Claudia Munoz also represent that each of them  
17 has the power and authority to enter into this Consent Judgment  
18 on behalf of potential claimant Pavi, Inc.

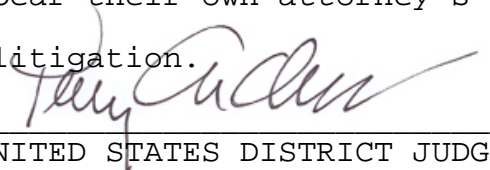
19 7. The claimants also agree to hold harmless and indemnify  
20 the United States, the United States Attorney's Office and the  
21 Drug Enforcement Administration and their employees from all  
22 claims by any third parties to the \$246,596.00 and any interest  
23 accrued thereon being returned to the claimants.

24 8. The Court finds that there was reasonable cause for the  
25 seizure of the defendant currency and institution of these  
26 proceedings. This judgment shall be construed as a certificate  
27 of reasonable cause pursuant to 28 U.S.C. § 2465.

28 / / /

1 9. The parties shall each bear their own attorney's fees  
2 and other costs and expenses of litigation.

3 DATED: July 1, 2010

  
UNITED STATES DISTRICT JUDGE

5 CONSENT

6 The parties consent to judgment and waive any right of  
7 appeal.

8 DATED: \_\_\_\_\_, 2010

ANDRÉ BIROTTE JR.  
United States Attorney  
CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division  
STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section

\_\_\_\_\_/s/  
PIO S. KIM  
Assistant United States Attorney  
  
Attorneys for Plaintiff  
UNITED STATES OF AMERICA

16 DATED: \_\_\_\_\_, 2010

\_\_\_\_\_/s/  
VIRGILIO GOMEZ MUNOZ  
Potential Claimant

19 DATED: \_\_\_\_\_, 2010

\_\_\_\_\_/s/  
CLAUDIA MUNOZ  
Potential Claimant

21 DATED: \_\_\_\_\_, 2010

\_\_\_\_\_/s/  
PAVI, INC.  
Potential Claimant

24 Approved as to form and content.

26 DATED: \_\_\_\_\_, 2010

\_\_\_\_\_/s/  
BRADLEY WM. BRUNON  
Attorney for Potential Claimants  
Virgilio Gomez Munoz, Claudia Munoz  
and Pavi, Inc.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28